

REMARKS

The indication of allowable subject matter in claims 3 and 26 is acknowledged and appreciated. In view of the following remarks, it is respectfully submitted that all claims are in condition for allowance. Claims 1, 13, 17 and 24 are the sole independent claims and stand rejected under 35 U.S.C. § 103 as being unpatentable over Blish, II et al. (“Blish”) in view of Fiordalice et al. and Snyder et al.. This rejection is respectfully traversed for the following reasons.

Each of claims 1, 13, 17 and 24 embody forming a first conductive film *as a seed layer* and forming a second conductive film *which is made of the same material as the first conductive film* on the first conductive film (emphasis added). Support for this feature of the present invention can be found, for example, on page 17, lines 12-17 of Applicants’ specification. The Examiner relies on Blish as allegedly disclosing the claimed first and second conductive films in the manner recited in the independent claims. However, in direct contrast to the claimed invention, the alleged first and second conductive films of Blish are made of different materials (i.e., Ta, Ti as the alleged first conductive film and Cu, Al as the alleged second conductive film), and Blish expressly teaches away from using a seed layer (*see, e.g.*, col. 3, lines 11-15; col. 4, lines 54-59; col. 5, lines 60-65 of Blish).

Moreover, it is noted that the Examiner does not rely on Fiordalice et al. and Snyder et al. to obviate the aforementioned deficiencies of Blish. Indeed, it is respectfully submitted that neither Fiordalice et al. nor Snyder et al. disclose or suggest the claimed first and second conductive films in the specified combination of elements recited in the independent claims. In view of the foregoing, it is respectfully submitted that none of the cited prior art, alone or in combination, disclose or suggest each and every limitation recited in the independent claims as set forth in the respective combinations.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard for establishing obviousness under § 103:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejections do not "establish *prima facie* obviousness of [the] claimed invention" as recited in the independent claims because the proposed combinations fail the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's

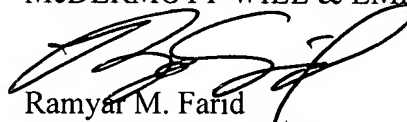
Application No.: 10/643,980

amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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